



STATE OF INDIANA

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MEMORANDUM

TO: Executive Committee, Indiana Professional Standards Board

FROM: Philip R. McGovern, General Counsel, Indiana Professional Standards Board

DATE: June 20, 2003

RE: Election of Board Officers

I was asked to do some checking into the proper method for the election of board officers. I have found that there is very little law on this subject. The "Open Door" law just says that, "A secret ballot vote may not be taken at a meeting." I'm sure Robert's Rules say a lot more than that and I'll certainly defer to Joe Weaver in that area.

As you know, the new policy "manual" says that the board needs to elect a chair, a vice-chair, a secretary and four at large members of the EC at the June meeting. Most boards I have worked with in the past elect each officer separately, starting with the highest office and work down from there. Unless a nominating committee is used, the standard approach is to ask for nominations from the floor and nothing (except, maybe, pride) would prevent a member from nominating himself or herself. I don't think anyone needs to second the nominations, but Joe may disagree and it would seem to be good practice to have a second for each nomination. I do not see a need for a member to abstain from voting on the basis that he or she is the nominee.

If, after an appropriate pause, only one person is nominated for an office, someone should move that nominations for that particular office be closed; that motion is seconded and passed and the nominee is elected. If there are two or more nominees after nominations are closed, the voting can be by voice vote, by a show of hands, or a roll call -- anything other than a secret ballot. I would suggest that the chair should ask for votes for each nominee in the order of their nomination and, obviously, the nominee with the highest number of votes is elected. My version of Roberts doesn't mention tie votes, but I suspect the solution would involve the flip of a coin.

My "unofficial" version of Roberts indicates that officers should assume their duties as soon as they are elected, but it would make more sense to me if the current chair were to oversee the elections of all of the new officers before turning the gavel over to the new chair. If the elections are the last item on the agenda, the new officers could assume their duties at the beginning of the next meeting.

I look forward to any questions you may have.